

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

BROTHERHOOD OF MAINTENANCE  
OF WAY EMPLOYEES DIVISION/IBT,

Plaintiff,

vs.

MONTANA RAIL LINK, INC.,

Defendant.

CV 23–19–M–DLC

ORDER

Before the Court is Plaintiff's Voluntary Dismissal with Prejudice Pursuant to Federal Rule 41(a)(1)(A)(i). (Doc. 26.) Plaintiff requests dismissal with prejudice pursuant to an agreement between the parties, with each party to bear its own costs and fees. (*Id.* at 2.) Because no answer or motion for summary judgment was filed in this case by Defendant, dismissal by notice pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure is appropriate.

Accordingly, IT IS ORDERED that the above-captioned matter is DISMISSED with prejudice, with each party to bear its own costs and fees.

DATED this 15th day of June, 2023.



Dana L. Christensen, District Judge  
United States District Court